

In light of the current public health crisis and the Federal, State and County Emergency Declarations, and in accord with the provisions of Sec. 610.020, RSMo., the Board of Aldermen recognizes that it would be dangerous and impractical, if not impossible, for its meeting to be physically accessible to the public. The Board also recognizes the need for the public's business to be attended to in order to protect the public health, safety and welfare. In order to balance both the need for continuity of government and protection of the health and safety of our residents, business persons and employees, this meeting of the Board of Aldermen will not be open to public attendance in person. The meeting will be accessible by the public in real time ONLY by following the instructions in the box below.

You are invited to a Zoom webinar.

When: May 21, 2021 3:00 PM

Topic: BOA Strategic Discussion Session

Please click this URL to join. <https://us02web.zoom.us/j/81116086891>

Or One tap mobile:

+19292056099, 81116086891# US (New York)

+13017158592, 81116086891# US (Washington DC)

Or join by phone:

Dial(for higher quality, dial a number based on your current location):

US: +1 929 205 6099 or +1 301 715 8592 or +1 312 626 6799 or +1 669 900 6833 or +1 253 215 8782 or +1 346 248 7799

Webinar ID: 811 1608 6891

International numbers available: <https://us02web.zoom.us/j/81116086891>

Persons interested in making their views known on any matter on the agenda should send an email with their comments to the City Clerk at jfrazier@claytonmo.gov. All comments received will be distributed to the entire Board before the meeting.

Thank you for your understanding and patience as we all try to get through these
difficult and dangerous times

City of Clayton
Board of Aldermen Strategic Discussion Session
Friday, May 21, 2021
Virtual Zoom Meeting
3:00 p.m.

AGENDA

1. Ordinance – To approve calling for an election on August 3, 2021, for the purpose of submitting to the qualified voters of the City of Clayton a question of increasing the City’s property tax to fund essential City Services. (Bill No. 6839)
2. Presentation – Municipal Garage study.
3. Discussion on the municipal judge/prosecutor selection process.

The Board of Aldermen may also hold a closed meeting, with a closed vote and record, as authorized by Section 610.021(1), (2) and (3) Revised Statutes of Missouri, relating to legal issues, real estate and/or personnel, negotiation of a contract pursuant to Section 610.021(12) RSMO., and/or proprietary information pursuant to Section 610.021(15).

Agenda topics may be added or deleted at any time prior to the Board of Aldermen meeting without further notice. To inquire about the status of agenda topics, call 290.8469. Individuals who require an accommodation (i.e., sign language, interpreter, listening devices, etc.) to participate in the meeting should contact the City Clerk at 290.8469 or Relay Missouri at 1.800.735.2966 (TDD) at least two working days prior to the meeting.



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

REQUEST FOR BOARD ACTION

TO: MAYOR HARRIS; BOARD OF ALDERMEN

FROM: DAVID GIPSON, CITY MANAGER

DATE: MAY 21, 2021

SUBJECT: ORDINANCE CALLING FOR AN ELECTION ON AUGUST 3, 2021, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF CLAYTON A QUESTION OF INCREASING THE CITY'S PROPERTY TAX TO FUND ESSENTIAL CITY SERVICES

The City's general fund provides most of the revenue necessary to provide the services the citizens of Clayton rely on to sustain their health, safety and welfare, create and maintain critical public infrastructure, and offer unique and valued enhancements to the quality of life available to every Clayton resident.

The City's property tax rate dedicated to general purposes has not been increased since 1991, while the cost of providing the high-quality services Clayton residents enjoy has risen steadily to the point that the City's general fund cannot be counted on to sustain current levels of service without additional revenue.

Approval of this ordinance will place the following proposition on the ballot for consideration by the voters of the City of Clayton, Missouri, at the election to be held on August 3, 2021;

PROPOSITION A

Shall the City of Clayton be authorized to increase its property tax upon all subjects and objects of taxation within the City by eighteen cents (\$.18) on the one hundred dollars assessed valuation for general municipal purposes including paying increased costs associated with the provision of public safety services, parks and recreation facilities and programs, public works and infrastructure maintenance and improvement, solid waste collection and other services for the health, safety and welfare of the citizens of Clayton?

___ YES

___ NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES". If you are opposed to the question, place an X in the box opposite "NO".

STAFF RECOMMENDATION: To consider the proposed ordinance to submit a general property tax increase to the voters of Clayton on August 3, 2021.

AN ORDINANCE CALLING FOR AN ELECTION ON AUGUST 3, 2021, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF CLAYTON A QUESTION OF INCREASING THE CITY'S PROPERTY TAX TO FUND ESSENTIAL CITY SERVICES

WHEREAS, the City's general fund provides the vast majority of revenue necessary to provide the robust and critical services the citizens of Clayton rely on to sustain their health, safety and welfare, create and maintain critical public infrastructure, and offer unique and valued enhancements to the quality of life available to every Clayton resident; and

WHEREAS the City's property tax rate for general purposes has not been increased since 1991, while the cost of providing the multiple, high-quality services Clayton residents enjoy has risen steadily to the point that the City's general fund cannot be counted on to sustain current levels of service without the adjustment hereinafter proposed; and

WHEREAS this modest property tax increase will also protect Clayton's long-term ability to offer our residents the robust, critical and varied array of services they value by improving the City's most stable and efficient revenue source and thereby allowing the City to adopt and accomplish long-term infrastructure and programing improvements to assure Clayton residents' quality of life for many years to come;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF CLAYTON, MISSOURI, AS FOLLOWS:

Section One.

The Board of Aldermen finds it necessary to increase the City's property tax rate for general municipal purposes, including paying the increased costs associated with operating all City services such as our professionally accredited police department, our outstanding fire department, a broad array of parks and recreation facilities and programs throughout the City, public works and infrastructure maintenance and improvement, and vital public health and environmental services.

Section Two.

The following proposition shall be placed on the ballot for consideration by the voters of the City of Clayton, Missouri, at the election to be held on August 3, 2021;

PROPOSITION A

Shall the City of Clayton be authorized to increase its property tax upon all subjects and objects of taxation within the City by eighteen cents (\$.18) on the one hundred dollars assessed valuation for general municipal purposes including paying increased costs associated with the provision of public safety services, parks and recreation facilities and programs, public works and infrastructure maintenance and improvement, solid waste collection and other services for the health, safety and welfare of the citizens of Clayton?

___ YES

___ NO

INSTRUCTIONS TO VOTERS: If you are in favor of the question, place an X in the box opposite "YES". If you are opposed to the question, place an X in the box opposite "NO".

Section Three.

The City Clerk is hereby authorized and directed to notify the Board of Election Commissioners of St. Louis County, Missouri, of the adoption of this Ordinance by certifying the aforementioned ballot language no later than 5:00 p.m. on May 25, 2021, and to take such other action as may be required so that this election may be lawfully conducted. Officials, agents and employees of the City are hereby authorized and directed to take any such further action, and execute and deliver such other documents and instruments as may be necessary or desirable to carry out and comply with the intent of this Ordinance, including making any minor changes to the ballot language that may be required by the St. Louis County Board of Election Commissioners or State of Missouri officials. A copy of the Notice of Election is attached hereto as Exhibit A.

Section Four.

This Ordinance shall be in full force and effect both from and after its passage by the Board of Aldermen.

Passed by the Board of Aldermen this 21st day of May, 2021.

Mayor

Attest:

City Clerk



City Manager
10 N. Bemiston Avenue
Clayton, MO 63105

MEMORANDUM

TO: MAYOR HARRIS; BOARD OF ALDERMEN
FROM: DAVID GIPSON, CITY MANAGER
DATE: MAY 21, 2021
SUBJECT: SELECTION OF MUNICIPAL JUDGE AND PROSECUTOR

The presentation that will be given at the May 21, 2021 Strategy Session has been attached for your review. It includes a recommendation made by the Clayton Community Equity Commission on May 13, 2021 relative to the Municipal Judge selection process.

The Request for Qualifications (RFQ) utilized in the 2015 Municipal Judge selection process has also been attached for your review and consideration.



Municipal Judge and Prosecutor Selection Process

May 21, 2021
Board of Aldermen

Charter Provision for Judge Selection

The municipal court shall be presided over by a judge appointed by the board of aldermen for a term of two years. He shall be a resident and elector of the city, a licensed member of the bar of this state, and shall have been in active practice for at least three years.

Prosecutor Selection – Section 110.060

The City Attorney shall designate one (1) assistant City Attorney as prosecutor who shall represent the City and prosecute all cases in the Municipal Court and perform such other services as requested by the City Attorney.

Charter Provision

Section 3 Assistant City Attorneys and Special Counsel.

The board of aldermen shall provide by ordinance for such assistant city attorneys as it may deem necessary, who shall be appointed, and may be removed, by the city attorney with the approval of the board of aldermen.

Current Terms

Municipal Judge

- Appointment expires on June 30
- Current Judge appointed in 2015 and reappointed in 2017 & 2019

Prosecutor

- Current Prosecutor serving 27+ years

Clayton Community Equity Commission Recommendation – 5/13/21

The Ferguson reforms require that municipal courts be independent of the municipality in which the court sits. The Clayton Charter vests appointment in the BOA. However, to our knowledge, there is no policy or procedure for selection, no statement of desired qualifications, and no posting of the vacancy.

Recommendation: To insure that the selection process of selecting the judge is open and consistent with the current standards of administration of justice in Clayton's municipal court we recommend that the selection process include the following elements-

- a. A statement of desired equity qualifications consistent with current best practices; and
- b. A written policy and procedure; and
- c. Posting the opening and particularly targeting the legal community

MUNICIPAL JUDGE REQUEST FOR QUALIFICATIONS (RFQ)

INTRODUCTION: The City of Clayton (City) is seeking a Municipal Judge to provide Judicial Services. Attorneys are invited to submit qualifications and proposals for the provision of these services. In order to be considered, proposals must address each of the concerns requested in this document.

Submission Deadline: All proposals must be received no later than 2:00 p.m., February 6, 2015.

Per the City's Charter, Article VI, Section 2:

The municipal court shall be presided over by a judge appointed by the board of aldermen for a term of two years. He shall be a resident and elector of the city, a licensed member of the bar of this state, and shall have been in active practice for at least three years. He shall be removable for cause at any time by a majority vote of the entire board of aldermen after a public hearing before the board. He shall receive compensation as determined by ordinance. Whenever the municipal judge is temporarily absent or unable to act, the mayor shall appoint an eligible person to act during such absence or disability. Whenever the office of municipal judge becomes vacant for any reason, the board of aldermen shall appoint an eligible person for the unexpired term.

Schedule:

1st and 3rd Wednesday of each month – 6:00 p.m. (Municipal Court)

2nd Thursday of each month – 9:00 a.m. (Housing Court)

REQUESTED INFORMATION: Individuals interested in the opportunity to work with the City will provide the following information:

1. Name and contact information, including e-mail and website address(es).
2. Affirm the City of Clayton residency.
3. Summary of qualifications, specializations, experience, professional affiliations, special training, availability, and Missouri Bar license number(s).
4. Information on previous related experience and services provided, including municipal experience.
5. List of clients currently represented that could cause a conflict of interest with responsibilities listed in the scope of services above. Describe how you would resolve these or any future conflicts of interest.
6. If you have filed any litigation in the past five years in which the City or one of its employees was named as a party, please describe the case(s).
7. Other factors or special considerations which may influence the City's selection.
8. List of references, contact information and services provided, including municipal clients.

OTHER TERMS AND CONDITIONS: The City reserves the right to reject any or all responses. The City reserves the right to waive any variances from original RFQ specifications in cases where the variances are considered to be, in the sole discretion of the City, in the best interests of the City

All proposals submitted in response to this RFQ shall become the property of the City. The City retains the right to use any or all information presented in any proposal to the RFQ, whether amended or not. Selection or rejection of the proposal does not affect this right.

The position shall be awarded to the applicant determined to be best qualified to meet the City's needs, with a mutually agreeable start date.

EVALUATION AND SELECTION CRITERIA: Selection of the Municipal Judge will be made by the Mayor and Board of Aldermen and include the consideration of the following criteria:

- General qualifications of the candidate for the position.
- Experience.
- References.
- Compliance with this Request for Qualifications.
- Other criteria which pertain to providing effective judicial services such as availability, timeliness, responsiveness and follow-through.

SUBMITTAL: Please provide an electronic copy of the proposal limiting it to five (5) pages, including signature. Questions and proposal submissions shall be directed to:

June Frazier, City Clerk
City of Clayton
(314) 290-8469
jfrazier@claytonmo.gov